



**ASSEMBLY AMENDMENT 4,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1995 ASSEMBLY BILL 438**

December 7, 1995 - Offered by COMMITTEE ON HIGHWAYS AND TRANSPORTATION.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 7: after that line insert:

3 **"SECTION 2m.** 346.94 (16) (b) 7. of the statutes is created to read:

4 346.94 (16) (b) 7. A local authority that has enacted an ordinance in conformity
5 with s. 349.135."

6 **2.** Page 7, line 24: after that line insert:

7 **"SECTION 6m.** 349.135 of the statutes is created to read:

8 **349.135 Authority to regulate radios or other electric sound**
9 **amplification devices. (1)** Notwithstanding s. 346.94 (16), the governing body of
10 any town, city, village or county may, by ordinance, provide that, except as provided
11 in s. 347.38 (1), no person may operate or park, stop or leave standing a motor vehicle
12 while using a radio or other electric sound amplification devise emitting sound from
13 the vehicle that is clearly audible under normal conditions from a distance of 50 or
14 more feet, unless the electric sound amplification device is being used to request
15 assistance or warn against an unsafe condition. The ordinance may provide that any

1 person violating the ordinance may be required to forfeit not less than \$40 nor more
2 than \$80 for the first violation and not less than \$100 nor more than \$200 for the 2nd
3 or subsequent violation within a year.

4 (2) Any ordinance enacted under sub. (1) may not apply to any of the following:

5 (a) The operator of an authorized emergency vehicle, when responding to an
6 emergency call or when in the pursuit of an actual or suspected violator of the law
7 or when responding to but not upon returning from a fire alarm.

8 (b) The operator of a vehicle of a public utility, as defined in s. 11.40 (1) (a).

9 (c) The operator of a vehicle that is being used for advertising purposes.

10 (d) The operator of a vehicle that is being used in a community event or
11 celebration, procession or assemblage.

12 (e) The activation of a theft alarm signal device.

13 (f) The operator of a motorcycle being operated outside of a business or
14 residence district.”.

15 (END)